

5.0 GENERAL REGULATIONS

5.1 OFF-STREET PARKING REQUIREMENTS

5.1.1 General. Accessible off-street parking facilities for the parking of owner-driver motor vehicles shall be provided in accordance with the standards set forth in this Section.

5.1.2 Table of Required Off-Street Parking Spaces. Off-street parking facilities shall meet the requirements of Table of Off-Street Parking Spaces, Appendix B. Off-street parking requirements for uses not specifically identified in Appendix C shall be determined by the Inspector of Buildings based on a use listed on the Table which has characteristics similar to the use in question.

5.1.3 Location of Parking Uses. Parking within the ground floor of dwelling structures shall require an intervening driveway of twenty (20') feet in depth, unless a special permit is obtained. Drive curb cuts shall have a width no greater than that specified by the Department of Public Works, unless a special permit is obtained. Required off-street parking areas shall be provided on the same lot they serve. Outdoor parking spaces shall not be allowed within any required front yard, nor within five (5) feet of any wall containing ground floor or basement windows, nor, within five (5) feet of any side or rear lot line.

1. *Exemption.* Off-street parking areas may be provided on another lot if:

- a. The lot is in the same ownership as the lot of the principal use, or it shall be demonstrated that such lot constitutes a common parking lot serving several uses or a community parking facility intended for and used by residents in the area and that such lot furnishes the aggregate number of spaces required for each use or dwelling; and

- b. Access to such areas is not more than three hundred (300) feet from the nearest street line of the lot or lots they are designed to serve; and
- c. Such lot is not diverted to other uses except insofar as it can be shown that substitute parking has been made available.

5.1.4 Parking Lot Design. The following regulations are applicable to parking lots with five (5) or more spaces:

1. *Access.* Off-street parking spaces shall be so laid out that they are not directly accessible from a public way, but each space shall be accessible by means of an intervening private drive.
2. *Front Yards.* Parking areas within required front yards shall not be permitted except when a Special Permit is granted.
3. *Size of Parking Space.* Each parking space (except in a commercial parking lot where cars are parked by an attendant) shall not be less than nine feet wide and eighteen feet long. Parking spaces for disabled persons shall comply with the standards of the Architectural Access Board.
4. *Lots with 10 or More Spaces.* In lots with over ten parking spaces, up to twenty-five (25%) percent of all parking spaces may be designed for small cars. Specifically, up to twenty-five (25%) percent of all parking spaces may be sized at an eight (8) by fifteen (15) foot standard, provided that said spaces are clearly reserved for small cars only.
5. *Lots with 20 or More Spaces.* No more than twenty spaces shall be provided in a row without separation by a pedestrian walkway, where required by the Zoning Enforcement Officer and by a landscaped area providing that

in the case of double rows, this section shall mean twenty (20) spaces on each side of the parking space area.

6. *Lighting.* Any illumination for a parking area shall be arranged or designed so as to prevent glare and shall be shielded to prevent light from directly shining upon any adjoining building or property in residential use or adjacent streets.

5.1.5 Access and Aisles. All required parking areas shall be construed to include access driveways, median strips, landscaping, walks, and other related installations in addition to the parking stalls.

1. *Access Location.* No entrance or exit for any off-street parking area with four or more parking spaces shall be located within fifty (50) feet of the intersection of any two street lines.

2. *Aisle Width.* No aisle along which parking is permitted shall have less than the following widths:

- a. Twelve (12) feet for parallel parking;
- b. Twelve (12) feet for thirty (30) degree angle parking;
- c. Fifteen (15) feet for forty-five (45) degree angle parking;
- d. Nineteen (19) feet for sixty (60) degree angle parking;
- e. Twenty-four (24) feet for ninety (90) degree angle parking.

3. *Aisle Design.* Parking access aisles shall be part of an accessible route to the building or facility entrance. Parked vehicle overhangs shall not reduce the clear width of an accessible circulation route. Parking spaces and

access aisles shall be level with surface slopes not exceeding 1:50 in all directions.

5.1.6 Enclosed Parking. Part or all of the parking required herein may be enclosed within a structure conforming to all dimensional requirements of the district in which it is located. Notwithstanding other provisions of this Section 5.1, the following parking requirements shall apply to parking facilities in an enclosed structure:

1. *Size.* Standard parking spaces shall be not less than eight and one half (8.5) feet wide and eighteen (18) feet long.

2. *Small Cars.* Up to fifty (50%) percent of all parking spaces may be designed for small cars which shall be sized at seven and one-half (7.5) by sixteen (16) foot standard, provided that said spaces are reserved for small cars only.

3. *Aisle.* No aisle along which parking is permitted shall have less than the following widths:

- a. Nineteen (19) feet for (60) degree angle parking (minimum angle of parking shall be sixty (60) degrees).

- b. Twenty-two (22) feet for ninety (90) degree angle parking.

5.1.7 Maintenance. All parking areas and driveways, except those for single or two-family structures, shall be maintained as follows:

1. *Surface.* A paved surface, properly drained, shall be provided. Parking areas not required by this ordinance and which are used only occasionally may be maintained in grass.

2. *Signage.* Required parking spaces, except for dwellings

containing six (6) units or less, shall be clearly marked and any one-way driveways serving them shall have the direction of travel clearly indicated.

3. *Prohibited Uses.* Required parking areas shall be used for automobile parking only, with no sales, dead storage, repair work, dismantling or servicing of any kind.

5.1.8 Special District Regulations.

1. *Naval Hospital Districts.* Except as otherwise stated, this Section 5.1 shall not apply to the NHR or NHC Districts.

2. *Retail Business District.* In the BR District, no off-street parking requirements shall be required for any change of use, new construction, or addition that results in a new use, new construction, or addition that is less than five thousand gross square feet excluding basement, cellars, and below grade parking areas.

- a. No owner shall as a result of a change of use or addition remove any existing off-street parking in order to expand the existing building unless said parking is replaced elsewhere on-site.
- b. Any change of use, new construction, or addition in excess of five thousand gross square feet shall provide off-street parking at a rate consistent with Appendix B for the amount of the resulting structure in excess of five thousand square feet.
- c. The exemption provided above shall apply to all non-residential uses allowed in the BR district by right and by special permit except the following uses, which shall remain subject to Appendix B, and all applicable subsections of this Section: bed and breakfasts, inns, hotels, motels, cinemas, bar (with or without live or recorded music), adult entertainment establishments,

clubs, concert halls, schools, theaters, and religious institutions/religious purposes.

5.1.9 Shared Parking. Notwithstanding any other parking requirements set forth in this ordinance for individual land uses, when any land or building is used for two or more distinguishable purposes (i.e., joint or mixed use development), the minimum total number of parking spaces required to serve the combination of all uses shall be determined in the following manner: Multiply the minimum parking requirements for each individual use by appropriate percentage (as set forth below in the Table of Shared Parking Credits for each of the five designated time periods and then add the resulting sums from each vertical column. The column total having the highest total value is the minimum shared parking space requirement for that combination of land uses.

TABLE OF SHARED PARKING CREDITS

Use	Weekday 12AM-7AM	Weekday 7AM-5PM	Weekday 5PM-12AM	Weekend 6AM-6PM	Weekend 6PM-6AM
Residential	100%	60%	90%	80%	90%
Office or Industrial	5%	100%	10%	10%	5%
Retail	5%	90%	50%	100%	70%
Hotel	70%	70%	100%	70%	100%
Restaurant	10%	50%	100%	50%	100%
Restaurant associated with hotel	10%	50%	60%	50%	60%
Entertainment or recreation facility	10%	40%	100%	80%	100%

Child care facility	5%	100%	10%	20%	5%
All other uses	100%	100%	100%	100%	100%

5.1.10 Special Permit. Any parking requirement set forth in Section 5.1 may be reduced upon the issuance of a special permit by the Zoning Board of Appeals if the Board finds that the reduction is not inconsistent with public health and safety, or that the reduction promotes a public benefit. Such cases might include:

- a. Use of a common parking lot for separate uses having peak demands occurring at different times;
- b. Age or other characteristics of occupants of the facility requiring parking which reduces auto usage;
- c. Peculiarities of the use which make usual measures of demand invalid;
- d. Availability of on-street parking or parking at nearby municipally owned facilities.
- e. Where a special permit is granted, a reserve area, to be maintained indefinitely as landscaped open space, may be required sufficient to accommodate the difference between the spaces otherwise required and the spaces reduced by special permit. The parking/site plan shall show (in dotted outline) how the reserve area would be laid out in to provide the otherwise required number of spaces.

5.2 OFF-STREET LOADING REQUIREMENTS

5.2.1 General. Off-street loading facilities shall be provided

and maintained in all Districts in accordance with the requirements of this Section.

5.2.2 Location of Facilities. Loading facilities, whether docks or spaces shall be adjacent to, partly within, or completely enclosed within a structure. Such facilities shall be on the same lot as the building or use they are intended to serve.

1. *Industrial District.* In an I District, no loading facility shall be permitted closer than one hundred (100) feet to any Residential District.

5.2.3 Table of Off-Street Loading Requirements. Off-street loading spaces shall be provided for each type of indicated use according to the Table of Off-Street Loading Requirements, which states the minimum and maximum number of spaces permitted, except for food distribution uses, in which case only the minimum shall apply. In the Table, Category 1 shall include retail, trade, wholesale, storage, industry, and utilities; Category 2 shall include office buildings, hotel, institutional, recreational, and educational uses.

TABLE OF
OFF-STREET LOADING REQUIREMENTS

Gross floor area of structure(s) (x1000)

	4-15	15-50	50-100	100-150	For each additional 150
CATEGORY 1	1	2	3	4	1
CATEGORY 2	1	1	2	3	1

5.2.4 Design. Loading facilities shall conform to the following standards:

1. *Access.* No entrance or exit for any loading berth shall be located within fifty (50) feet of the intersection of any two street lines. Access shall be provided via an intervening driveway or maneuvering areas, but not directly from a public way.

2. *Size.* Each loading bay shall be not less than twelve (12) feet in width, fourteen (14) feet in height, and twenty-five (25) feet in length for normal usage and sixty-five (65) feet in length for tractor trailer usage (exclusive of platforms, maneuvering space, access drives and screening).

3. *Maneuvering Space.* Required loading bays shall include sufficient reserved space on the lot in addition to the bays so that vehicles can be maneuvered into position without interference with streets or required off-street parking.

5.2.5 Restrictions.

1. Areas or facilities designed for off-street loading shall be used exclusively for loading, maneuvering access and landscaping. They shall not be used in a manner which will interfere with their required purpose, nor to satisfy the off-street parking requirements of Section 5.1.

2. Off-street loading facilities shall not be reduced in number or encroached upon in any manner after their initial provision unless a change in use occurs which permits a reduction in quantity.

3. No part of an off-street loading facility required for any building or use shall be included as part of a loading facility similarly required for another building or use unless the type of building or use indicates that the usage or the loading facilities will not occur simultaneously.

5.2.6 Special Permit. Any loading requirement set forth in

Section 5.2 may be reduced upon the issuance of a special permit by the Zoning Board of Appeals if the Board finds that the reduction will not result in substantial detriment to the neighborhood or the city.

5.3 GENERAL LANDSCAPING REQUIREMENTS

5.3.1 Purpose. This section is designed to accomplish the following objectives: to provide a suitable boundary or buffer between residential uses and districts and nearby nonresidential uses; to define the street edge and provide visual connection between nonresidential uses of different architectural styles; to separate different and otherwise incompatible land uses from each other in order to partially or completely reduce potential nuisances such as dirt, dust, litter, noise, glare from motor vehicle headlights, intrusion from artificial light (including ambient glare), or view of signs, unsightly buildings or parking lots; to provide visual relief and a source of shade in parking lots and other areas, and protection from wind in open areas; to preserve or improve the visual and environmental character of the city, as generally viewed from residential or publicly accessible locations; and to offer property owners protection against diminution of property values due to adjacent nonresidential use.

5.3.2 Applicability. The requirements of this section shall apply to any nonresidential use and to multifamily dwellings.

1. *Special Permit.* By special permit, the Planning Board may authorize a reduction in the requirements of this section, where such reduction will not result in substantial detriment.

5.3.3 Landscaping Requirements for Property Lines. Property line(s) with residential districts shall be screened from nonresidential uses by means of plantings or maintenance of trees of a species common to the area and appropriate for screening, spaced to minimize visual intrusion, and providing an opaque year-round visual buffer between uses. Such plantings

shall be provided and maintained by the owner of the property used for nonresidential purposes. No part of any building or structure or paved space intended for or used as a parking area may be located within the buffer area. Planted buffer areas along property lines with residential districts or uses shall be of the following minimum depth in each district:

DISTRICT	B	BR	BH	SC	WF	I	LI	NHR	NHC
Depth of Buffer	10	10	10	20	10	20	10	10	20

5.3.4 Planted Area Requirements. Planted areas shall contain an appropriate mix of the following types of plants. Plant species shall be appropriate to proposed use, siting, soils, and other environmental conditions. Where the Planning Board determines that the planting of trees is impractical, the permit applicant may substitute shrubbery for trees.

1. Shrubs and hedges shall be at least 2.5 feet in height at the time of planting, and have a spread of at least 18 inches.
2. Grass is preferable to mulch where practical.
3. Existing trees with a caliper of six inches (6") or more shall be preserved wherever feasible.
4. Deciduous trees shall be at least two (2") inches in caliper as measured six (6") inches above the root ball at time of planting. Deciduous trees shall be expected to reach a height of 20 feet within ten years after planting. Evergreens shall be a minimum of eight (8') feet in height at the time of planting.

5.3.5 Coordination with Site Plan Approval. The Planning Board shall require a landscaping plan as part of the overall site plan for the premises. Such landscaping plan shall be at a scale sufficient to determine compliance with the specifications set forth in this Section.

5.3.6 Maintenance of Landscaped Areas. The owner of the property used for nonresidential purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this section and shall have a continuing obligation to comply with the provisions set forth herein. All plant materials required by this chapter shall be maintained in a healthful condition. Dead limbs, refuse and debris shall be promptly removed. Dead plantings shall be replaced with new live plantings at the earliest appropriate season. Bark mulch and nonplant ground surface materials shall be maintained so as to control weed growth.

5.4 SIGNS AND ILLUMINATION

5.4.1 General. Any sign erected or painted on a structure after the adoption of this ordinance shall conform to the applicable standards set forth herein.

1. *Permit Required.* The erection of any sign in excess of six (6) square feet shall require a permit from the Inspector of Buildings and the Zoning Enforcement Officer who shall determine conformance of such signs with these provisions.

2. *Everett Avenue Urban Renewal Area.* In the Everett Avenue Urban Renewal Area, signage is subject to Design Review and Design Guidelines. See Sections 7.2.8 and 7.2.9.

3. *Materials.* Signs other than permitted temporary signs shall be constructed of durable materials. The owner of any sign shall inspect annually such sign belonging to him and it shall be the duty of said owner to keep his sign(s) in good repair and of neat appearance at all times.

5.4.2 Signs in Residential Districts. The following signs are permitted in R1 and R2 Districts:

1. One (1) sign per occupant not exceeding two (2) square feet in area may be placed either on each wall of a building facing a street or in each yard facing a street provided that, if free standing, it shall not be higher than four (4) feet and shall be set back at least three (3) feet from the street line. Such sign(s) shall be for identification purposes only, displaying the number or name of the occupant, except that they may include identification of any accessory professional office and other permitted accessory uses. A sandwich sign shall not be considered a free-standing sign and is not allowed.

2. One (1) bulletin or announcement board or identification sign not exceeding ten (10) square feet in area for each permitted nonresidential building or use provided that such sign, if free standing, shall not be located nearer to a street line than one half (0.5) the depth of the required front yard. Churches, public educational and other institutional uses shall be permitted two (2) such bulletin or identification signs on each building provided one (1) does not exceed twenty (20) square feet in area and the other ten (10) square feet in area.

3. One (1) temporary real estate sign advertising the sale or rent of the premises on which the sign is located not exceeding six (6) square feet in area.

4. One (1) temporary contractor's sign maintained on a building while work is actually in progress not exceeding twenty (20) square feet in area.

5.4.3 Signs in Retail Business Districts. The following signs are permitted in BR Districts:

1. One (1) sign only pertaining to each establishment or occupancy in a building, store or office painted or attached to a building not exceeding fifteen (15) percent of the area of the building face upon which the sign is

attached or of one hundred (100) square feet whichever is the smaller area provided that in the case of an open-air use containing no building, one free standing sign not exceeding sixty (60) square feet shall be permitted for each one hundred (100) feet of lot frontage on the street on which the use had direct frontage.

5.4.4 Signs in Highway Business, Shopping Center, Industrial and Waterfront Districts. The following signs are permitted:

1. Two (2) signs pertaining to each establishment or occupancy in a building, store, or office the total area of which shall not exceed two hundred (200) square feet shall be permitted, provided that:
 - a. One (1) of these signs may be free standing, further provided that such sign shall not exceed fifteen (15) percent of the area of the building face or sixty (60) square feet whichever is the smaller area.
 - b. In the case of an open-air use containing no building, one free standing sign not exceeding sixty (60) square feet shall be permitted for each one hundred (100) feet of lot frontage on the street on which the use had direct frontage.

5.4.5 Signs in the Naval Hospital District - Commercial. The following signs are permitted in the NHC District:

1. Each industrial building shall be permitted one (1) sign on each wall facing a street on which the building has direct frontage, provided that such signs must be attached and parallel to the building.

5.4.6 Off-Premises Signs. Billboards or signs advertising a business, service or product at another location, hereinafter referred to as off-premises signs, shall not be erected except upon the issuance of a special permit by the Zoning Board of Appeals.

1. *Nonconforming Off-premises Signs.* Notwithstanding the foregoing or any other provision of the Zoning Ordinance of said City, any off-premises sign or billboard which was lawfully erected and maintained, and for which a permit was issued under the provisions of Chapter 93 of the General Laws, was in compliance with the Ordinances of the City of Chelsea and was otherwise lawful in all respects on the date when said permit was issued, shall be permitted to be used and maintained and may from time to time be repaired or replaced without the approval of said Zoning Board of Appeals.

5.4.7 Design Standards and Restrictions.

1. No hanging or projecting signs shall be permitted.
2. All signs or advertising devices shall be stationary, except time and temperature indicators, and may not contain any visible moving or movable parts.
3. No sign shall generate music or an audible message.
4. No sign, other than traffic control and route signs authorized by public agencies, shall be placed within a public right-of-way.
5. No sign shall be so designed or colored or so placed as to endanger, obscure, confuse, blind by glare, or otherwise create a hazardous condition to motor vehicle traffic or pedestrians.
6. No sign painted on or attached to a building shall project more than six (6) inches from the wall or above its roof or parapet line.
7. No sign shall be placed in any side or rear yard adjoining a Residential District.

5.4.8 Illumination. The following standards shall apply:

1. Signs in Residential Districts may not be illuminated except for signs identifying a place open to the public, such as a church or nursing home, and such signs may be lighted only indirectly and in a manner that will not permit direct light to shine onto any street or adjacent property.

2. Any lighting shall be continuous and non-flashing.

3. No signs shall be of the exposed neon type or exposed gas-illuminated type.

5.4.9 Temporary Signs.

1. *Banners, Flags, and Pennants.* Banners, flags, and pennants associated with an event such as grand openings, sales, or closings, are not allowed on any premises for more than two weeks in the aggregate in any calendar year.

2. *Removal.* Temporary signs relating to a business, service, product or activity on the premises on which the sign is located shall be removed from public view within seven (7) days after the activity advertised has ceased or after a substantial damage to the sign whichever comes first.

3. *Placement.* No temporary sign shall be placed or allowed to be placed or affixed to any public building, land, fence, utility pole or tree within the City.

4. *Mobile Signs.* Mobile signs are prohibited in the City of Chelsea.

5.4.10 Removal. Any sign erected after adoption of this ordinance which, because of a change in occupancy, ceases to refer to a bona fide business conducted, or product sold on the premises, shall be removed by the owner within thirty (30) days after written notification from the Inspector of Buildings or

within such longer period not exceeding one (1) year as the Inspector and Zoning Officer may determine.

1. *Projecting Sign.* Any projecting sign which, because of a change in occupancy or a change in use, ceases to refer to a bona fide business conducted, or product sold on the premises shall be removed by the owner within sixty (60) days after written notification from the Inspector of Buildings and Zoning Enforcement Officer or within such longer period not exceeding one (1) year as the Inspector and Zoning Officer may determine.

2. *Nonconforming Signs.* All nonconforming signs may continue to be used and maintained hereafter and may be repaired or replaced from time to time, unless ordered removed in accordance with this ordinance or unless abandoned.

5.5 PERFORMANCE STANDARDS

5.5.1 General. All proposed uses of buildings, lots or premises within any district after the passage of this ordinance shall conform to the following standards.

1. *Burden of Proof.* The applicant, at his own expense, shall furnish evidence sufficient to satisfy the Zoning Enforcement Officer that the proposed use of the building or premises will not produce any occurrences beyond the lot lines as measured by the performance standards listed below or as existing in comparable operations in the District.

2. *Abatement.* Any activity resulting in a violation of the standards set forth below shall be reduced to acceptable standards or discontinued.

5.5.2 Air Pollutants. Except as is herein provided, all use and conditions of land, buildings and structures shall be in conformance with the regulations set forth at 310 CMR 6.00 -

8.00 of the Department of Environmental Protection, Commonwealth of Massachusetts, as may be amended.

5.5.3 Noise. Noise shall be controlled and in conformity with Section 2-16 of the Ordinances of the City of Chelsea (Noise Control).

5.5.4 Odor. Emissions from plant sites or other sources as measured at the user's property line shall not exceed the established threshold limit values for odors as outlined in T.M. Hellman and F.H. Small, Journal Air Pollution Control Association, 24(10), 979-982, (1974); and amendments thereto added by the Manufacturing Chemists Association, Inc., Washington, D.C..

5.5.5 Heat, Glare and Vibration. No heat, glare or vibration shall be discernible without instruments from the outside of any structure.

5.5.6 Waste Disposal, Water Supply and Water Quality. The regulations of the Department of Public Health, Commonwealth of Massachusetts, shall be met and when required, approval shall be indicated on the application for a Building Permit. In no case shall discharge cause the waters of the receiving body to exceed the limits assigned by the Commonwealth of Massachusetts, Water Resources Commission, Division of Water Pollution Control, as published and entitled "Water Quality Standards", filed with the Secretary of State on September 21, 1978, and amendments thereto, for streams and water bodies within the City.

5.5.7 Storage. All materials, supplies and equipment shall be stored in accord with the Fire Prevention Standards of the National Fire Protection Association and shall be screened from view from public ways or abutting properties.

5.5.8 Exterior Lighting. No exterior lighting, other than street lighting approved by the Department of Public Works, shall shine on adjacent properties or toward any street.

5.5.9 Exterior Lighting in Residential Districts. In the R1 and R2 Districts, the exterior illumination of buildings or grounds except as may be permitted for required parking areas, shall:

1. Be permitted only for non-commercial uses open to the public, such as a church or playground; and
2. Shall be shown on a site plan approved by the Inspector of Buildings.
3. Any lighting shall be continuous and non-flashing.

5.5.10 Building Construction. All buildings shall be of construction prescribed in the State Building Code. No building permit shall be granted unless the application for such permit is filed in accordance with the Building Code.

5.5.11 Hazardous Materials. All hazardous materials used, created, stored, processed, disposed of by processing, diluting, burying or containment, leaching or any other manner, or transported (including piping) in the City of Chelsea shall be used, stored or transported in accord with all applicable Federal, State and Local regulations.

1. **Notice.** Except for transport on Route 1, a notice for use, creation, storage, processing, disposal and transport shall be filed with the Board of Health, on such forms as they shall require. Notification shall include, as a minimum, identification of material, the amount involved, the process, if any, the routes of transport, carrier and conveyance, if any. The Board of Health may require a bond be posted to cover any and all possible damage to persons, property and environment.

5.5.12 Erosion Control. Whenever the existing contours of the land are altered, the land shall be left in a usable condition, graded in a manner to prevent the erosion of soil and the alteration of the runoff of water to or from abutting

properties, and shall be suitably landscaped.

5.5.13 Dish Antennae. Accessory dish antennae shall be located in the rear yard in all residential zoning districts and shall be set back at least ten (10) feet from all property lines, principal buildings, and accessory buildings, and shall not have a diameter greater than one-third ($1/3$) of the required rear yard. For commercial or industrial districts the dish antennae may be located in either the rear yard or on a roof at the discretion of the Zoning Enforcement Officer after consultation with the Inspector of Buildings.

5.5.14 Electrical Interference. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

5.5.15 Construction in the Flood Plain. Any new construction or substantial improvements encroaching upon or in the flood plain, as defined in the Flood Insurance Study, City of Chelsea, Massachusetts, Federal Emergency Management Agency, February 2, 1980, shall be in conformance with the Board of Health Rules and Regulations Regarding the Flood Plain, dated June 9, 1982, as amended to date, and further shall be designed, or modified and anchored to prevent flotation, collapse, or lateral movement of the structure.

5.5.16 Waterways License. All uses within Commonwealth of Massachusetts trustlands, tidelands, rivers and streams shall be further subject to the provisions of Massachusetts General Laws, Chapter 91 and 310 CMR 9.00.